

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

ARTHUR THOMAS REED,

Plaintiff(s),

vs.

ST. LOUIS CITY POLICE DEPT., et al.,

Defendant(s).

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Case No. 4:09CV1325 JCH

**ORDER**

This matter is before the Court on Plaintiff's motion to file an appeal of this Court's dismissal of Plaintiff's case (Doc. No. 20). On November 4, 2009, Plaintiff notified this Court of his change of address (Doc. No. 14). Plaintiff claims that he did not receive notice that his case was dismissed because those notices were sent to his previous address (Doc. Nos. 15, 16, 17). Plaintiff asserts that he did not receive notice of the dismissal of his case until approximately December 22, 2009 (Doc. No. 20).

Upon consideration, the Court will grant Plaintiff's motion, pursuant to Federal Rule of Appellate Procedure 4(a)(6).<sup>1</sup> Plaintiff has fourteen (14) days from the date of this Order to file an appeal of the Court's dismissal.

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<sup>1</sup>Federal Rule of Appellate Procedure 4(a)(6) provides:  
The district court may reopen the time to file an appeal for a period of 14 days after the date when its order to reopen is entered, but only if all the following conditions are satisfied:

(A) the court finds that the moving party did not receive notice under Federal Rule of Civil Procedure 77(d) of the entry of the judgment or order sought to be appealed within 21 days after entry;

(B) the motion is filed within 180 days after the judgment or order is entered or within 14 days after the moving party receives notice under Federal Rule of Civil Procedure 77(d) of the entry, whichever is earlier; and

(C) the court finds that no party would be prejudiced.

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's motion to file an appeal of this Court's dismissal is **GRANTED** (Doc. No. 20).

**IT IS FURTHER ORDERED** that Plaintiff has fourteen (14) days from the date of this Order to file an appeal.

Dated this 29th day of December, 2009.

/s/ Jean C. Hamilton

UNITED STATES DISTRICT JUDGE